IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

MONDAY, THE 24TH SEPTEMBER 2007 / 2ND ASWINA 1929

RP.No. 862 of 2006()

AGAINST THE JUDGEMENT/ORDER IN WA.1728/2005 Dated 27/07/2006

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REVIEW PETITIONER/3RD RESPONDENT

M.G.SOBHANA,
ASST. DIRECTOR OF NURSING SERVICE,
OFFICE OF THE DIRECTOR OF HEALTH SERVICE,
THIRUVANANTHAPURAM.

BY ADV. SRI.GEORGE POONTHOTTAM

RESPONDENTS: APPELLANT AND RESPONDENTS
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1. **P.DEVAKI,**
   DISTRICT NURSING OFFICER (ON LEAVE),
   DISTRICT MEDICAL OFFICE, THIRUVANANTHAPURAM.

2. **THE STATE OF KERALA,**
   REP. BY ITS SECRETARY TO GOVERNMENT,
   HEALTH AND FAMILY PLANNING DEPARTMENT,
   THIRUVANANTHAPURAM.

3. **THE DIRECTOR OF HEALTH SERVICES,**
   STATE OF KERALA,
   THIRUVANANTHAPURAM.

BY ADV. SRI.M.C.NAMBIAR
GOVERNMENT PLEADER SRI.NOBLE MATHEW

THIS REVIEW PETITION HAVING BEEN FINALLY HEARD ON 24/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

tss

J.B.KOSHY & K.BALACHANDRAN, JJ.

R.P.No.862 OF 2006 IN
W.A.No.1728 OF 2005

Dated 24th September, 2007

ORDER

Koshy,J.

This review petition is filed contending that the promotion of the review petitioner in 1997 was not challenged by the writ appellant in time . The fact that the writ appellant passed the test earlier is not disputed. The Division Bench also noticed in the judgment under review regarding Ext.P10 which shows that writ appellant had filed a representation at the time when the review petitioner was given promotion. In any event, a review petition cannot be equated to an appeal proceedings or a petition for rehearing of the matter. On going through the judgment under review, we are of the opinion that no grounds are made out to interfere with the judgment which was dictated in the open court.

The review petition is dismissed.

J.B.KOSHY
JUDGE

K.P.BALACHANDRAN
JUDGE

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